

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 3465 OF 2024

Ajit Jalinder Shendge	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Shailesh Kharat a/w Tanmay T. Kate for the Applicant.
Mr. Sagar R. Agarkar, APP for Respondent-State.
Mr. Shambhu Ranaware, Dighi Police Station, Pimpri-Chinchwad.

CORAM: MANISH PITALE, J.
DATE : 20th DECEMBER 2024

P.C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No. 0429 of 2024 dated 8th October 2024 registered at Dighi Police Station, Dist. Pimpri-Chinchwad, for offences under Sections 109, 115(2), 140(3), 189(2), 190, 191(2), 191(3), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The informant has alleged that the applicant alongwith other accused persons came to his room and forcibly pulled him out and took him in a vehicle. Thereafter, the accused persons allegedly assaulted the victim and brought him at his house. This was pursuant to a suspicion that the informant was in touch with the sister of the applicant, who was said to be missing.

4. The learned counsel for the applicant submitted that in the present case, it would be necessary for the Investigating Officer to show that any injuries were suffered by the victim. It was submitted that since a missing report pertaining to the sister of the applicant had been lodged and the informant was not divulging her whereabouts, the accused persons had simply taken the informant to his father for discussing the issue.

5. This Court has perused the contents of the statement that led to registration of the FIR. The allegations made therein make out a *prima facie* case against the applicant, with regard to offence under Section 140(3) of the BNS, which pertains to abducting a person. The further description of the incident show a specific overt act attributed to the applicant of having assaulted the informant by means of an iron pipe. Therefore, the ingredients of further serious offences are also made out in the present case.

6. The learned APP has brought to the notice of this Court the efforts made by the Investigating Officer to obtain the injury certificate, but since the informant is being treated in a hospital at District Beed, it has taken some time to produce such documents. Nonetheless, the Investigating Officer is in possession of certain documents pertaining to treatment given to the informant in a private hospital. Such documents do indicate injuries suffered by the informant, thereby making out a *prima facie* case against the applicant, not only of having abducted the informant, but also having physically assaulted him by means of the aforesaid weapon.

7. No case is made out for granting anticipatory bail. The application is dismissed.

MANISH PITALE, J.